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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2812 OF 2004
IN
INCOME TAX APPEAL (LOD) NO.1145 OF 2004

The Commissioner of Income tax ..Appellant.

V/s.

M/s.Rajendra Kumar & Co. ..Respondent.

Mr.S.M.Shah i/b.Pankaj Kapoor for appellant.

Mr.S.P. Mehta for respondent.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 24TH JULY, 2007.

P.C. :-

There is a delay of 595 days. The last date for filing the appeal was 3/2/2003. The appeal was filed on 20th September, 2004. The matter was referred to the Ministry of Law for drafting the appeal on 31/1/2003. The draft was received on 3/3/2004 and the appeal has been filed on 20th September, 2004. No reasons have been given explaining the delay between 31/1/2003 and 3/3/2004 and thereafter between 3/3/2004 and 20th September, 2004. The cause shown, in our opinion, would not amount to sufficient cause. Hence Motion is dismissed.

(F.I.REBELL0, J.)

(J.P.DEVADHAR, J.)